

In The United States Court of Federal Claims

No. 10-156T

(Filed: May 21, 2013)

MCCLURG FAMILY FARM LLC, et al,

Plaintiffs,

v.

THE UNITED STATES,

Defendant.

ORDER

In light of the stipulation filed by the parties on May 20, 2013, and given the substantial movement in the parties' positions since briefing was completed on the parties' cross-motions for partial summary judgment, the court hereby **ORDERS** the following:

1. On or before June 21, 2013, plaintiffs shall file a chart presenting their position as to each of the parcels at issue in this case, and shall provide a manipulable electronic copy of said chart to defendant. Said chart shall be in landscape format and organized with seven columns as follows:
 - a. The first column shall sequentially list each parcel of land at issue in this case, including parcels that plaintiffs have indicated they will dismiss voluntarily;
 - b. For each parcel, the second column shall cite to the relevant deed(s) in the exhibits filed with the court;
 - c. The third column shall indicate which paragraph of the stipulation, if any, covers the parcel in question (*i.e.*, ¶ 4);
 - d. The fourth column shall indicate plaintiffs' position with regard to the parcel in question; and
 - e. The remaining three columns shall be left blank.

2. On or before July 22, 2013, defendant shall file an augmented version of the above-described chart as follows:
 - a. In the fifth column, defendant shall indicate which paragraph of the stipulation, if any, covers the parcel in question (*i.e.*, ¶ 4);
 - b. In the sixth column, defendant shall provide its position with regard to the parcel in question and any disagreement with plaintiffs' position regarding said parcel; and
 - c. The seventh column on the page shall be left blank.
3. The filings referenced in paragraphs 1 and 2 shall be in PDF format, and, with respect to the filing referenced in paragraph 2, defendant shall provide the court with a manipulable electronic copy by CD.
4. The above procedure is not an invitation to the parties to re-brief their cross-motions in chart format. The parties shall adhere to providing a level of detail in their descriptions that is consistent with that provided in the chart submitted as Exhibit A to plaintiffs' November 12, 2012 response and reply and in the chart submitted in *Burgess v. United States*, No. 09-242L (Fed. Cl. Apr. 10, 2012) (Dkt. No. 94).

IT IS SO ORDERED.

s/ Francis M. Allegra
Francis M. Allegra
Judge